

WAITANGI TRIBUNAL

Wai 3507

CONCERNING

the Treaty of Waitangi Act 1975

AND

a claim by Professor Joanna Kidman, Professor Khylee Quince, Professor Waikaremoana Waitoki, Associate Professor Clive Aspin, Associate Professor Mere Skerrett, Dr Carwyn Jones, Dr Tara McAllister and Metiria Stanton Turei for and on behalf of Māori academics, research staff, general staff and Māori students in the university sector

MEMORANDUM-DIRECTIONS OF THE DEPUTY CHAIRPERSON

The Registrar will please enter this matter on the register of claims and give it the next available Wai number. The register should note that the claim was received on 7 April 2025.

The claimant should please take note of the 'Wai' number reference at the top of the page. Please use this claim number in any communication with the Tribunal.

This claim is lodged by Professor Joanna Kidman, Professor Khylee Quince, Professor Waikaremoana Waitoki, Associate Professor Clive Aspin, Associate Professor Mere Skerrett, Dr Carwyn Jones, Dr Tara McAllister and Metiria Stanton Turei for and on behalf of Māori academics, research staff, general staff and Māori students in the university sector. The claimants allege that the Crown has breached the principles of the Treaty of Waitangi by:

- implementing a Crown model of tertiary education which does not accommodate or honour te Tiriti o Waitangi / the Treaty of Waitangi;
- failing to value, support or fund research and teaching which validates and includes mātauranga Māori;
- systemically discriminating against Māori staff in the model of tertiary education;
- failing to provide equitable opportunities and outcomes for tauira Māori; and
- failing to provide for mana Māori Motuhake and tino rangatiratanga in respect of university education.

The claimant seeks a variety of relief, including findings and recommendations that the Crown implement changes to its legislation, policies and practices for universities to ensure that:

- Māori have the right to obtain a te Tiriti-honouring university education;

- Māori have mana motuhake and tino rangatiratanga in respect of university education to ensure the university system works for Māori;
- The universities deliver equitable educational outcomes as defined by Māori; and
- Universities assign value to, and promote and financially support, mātauranga as a knowledge system.

The claimant may amend this claim at a later stage. In any case the Tribunal may require the claimant to prepare a fully particularised statement of claim before the claim can be heard.

The Tribunal currently runs district and kaupapa inquiry programmes in which claims are grouped either by district or by kaupapa (thematic) issue. Historical claims are those that raise grievances which arose before 21 September 1992. Contemporary claims have grievances that arose on or after that date. Some claims have both historical and contemporary grievances.

The allegations made in this claim are contemporary in nature. They pertain to education services and outcomes and as such may be best suited for consideration in the Wai 3310, Education Services and Outcomes Kaupapa Inquiry.

The claimant should also note that this claim is registered only insofar as it concerns contemporary allegations of Treaty breaches by the Crown. The Tribunal does not inquire or make findings or recommendations in relation to bodies or parties which are not the Crown.

When the time comes for the claim to be prepared for hearing, the Tribunal will decide whether there are any matters in the present claim that the Tribunal may not inquire into. The claimant needs to be aware that there are some matters that the Tribunal is not allowed to inquire into, such as any Bill that has been introduced into Parliament (unless the Bill has been referred to the Tribunal under section 8 of the Treaty of Waitangi Act 1975). Also, when historical claims are settled, the settlement legislation usually forbids the Tribunal from inquiring further into the matters that have been settled.

The claimant also needs to be aware that the Tribunal does not make settlements. After the Tribunal has completed an inquiry into claims, it writes a report making recommendations to the Crown. It cannot tell the Crown what to do; it may only recommend that the Crown acts to address the negative consequences of its breaches of the principles of the Treaty.

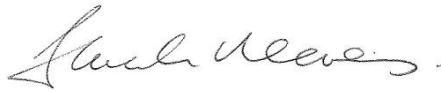
Legal Aid Services provides help for Waitangi Tribunal claimants. For advice on getting a lawyer or receiving funding, please contact Legal Aid Services at their Wellington central office or one of the local offices; the claimant should check their telephone directory for contact details.

Any questions about the contents of this document should be directed to The Registrar, Waitangi Tribunal, DX SX 11237, Wellington; phone (04) 914 3000, fax (04) 914 3001; email wt.registrar@justice.govt.nz.

The Registrar is to send a copy of this direction to the claimant and to:

- Crown Law Office;
- Te Kahui Whakataū (Treaty Settlements), Office for Māori Crown Relations – Te Arawhiti;
- Crown Forestry Rental Trust;
- Legal Aid Services;
- Te Puni Kōkiri;
- Ministry of Education; and
- all those on the notification list for Wai 3310, the Education Services and Outcomes Kaupapa Inquiry.

DATED at Wellington this 15th day of July 2025

A handwritten signature in black ink, appearing to read 'Sarah Reeves', followed by a period.

Judge Sarah Reeves
Deputy Chairperson

WAITANGI TRIBUNAL